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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DUSTIN R. RINEHART AND STACEY
RINEHART,

Plaintiff,

v.

ONEWEST BANK, FSB, a California
headquartered federal savings bank,
REGIONAL TRUSTEE SERVICES
CORPORATION, a Washington
corporation, FEDERAL NATIONAL
MORTGAGE ASSOCIATION INC., a
Delaware Corporation,

Defendants.

Case No.: 6:10-cv-06331-AA

DEFENDANT REGIONAL TRUSTEE
SERVICES ANSWER TO PLAINTIFFS' FIRST
AMENDED COMPLAINT

COMES NOW defendant Regional Trustee Services Corporation ("RTSC"), the
foreclosure trustee in this matter, and answers plaintiffs' First Amended Complaint as follows:

Paragraph 1: RTSC does not contest that Jurisdiction and Venue of this Court as proper.

Paragraph 2: RTSC does not contest that Jurisdiction and Venue of this Court as proper.

Paragraph 3: RTSC does not contest that Jurisdiction and Venue of this Court as proper.

Defendant Regional Trustee Services
Corporation's Answer to First
Amended Complaint - 1

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Paragraph 4: RTSC lacks sufficient information to form a belief in response to this paragraph and therefore denies the same.

Paragraph 5: Admitted.

Paragraph 6: RTSC admits that it is a Washington Corporation acting within the State of Oregon as a foreclosure trustee. RTSC denies the remainder of the allegations contained in this paragraph.

Paragraph 7: RTSC lacks sufficient information to form a belief in response to this paragraph and therefore denies the same.

Paragraph 8: RTSC admits the allegations of this paragraph to the extent that on or about December 12, 2006, plaintiffs executed a Promissory Note and Deed of Trust in favor of IndyMac Bank, F.S.B. and that said Deed of Trust granted a security interest in the plaintiff's real property located at 26947 Petzold Rd, Eugene, OR 97402. Said Note and Deed of Trust documents, whose validity RTSC does not contest, speak for themselves. RTSC denies the remainder of any other allegations contained in paragraph 8.

Paragraph 9: Said Deed of Trust document, whose validity RTSC does not contest, speaks for itself.

Paragraph 10: Said Deed of Trust document, whose validity RTSC does not contest, speaks for itself.

Paragraph 11: RTSC lacks sufficient information to form a belief in response to this paragraph and therefore denies the same.

Paragraph 12: Said Substitution of Trustee document, whose validity RTSC does not contest, speaks for itself.

Paragraph 13: Said Assignment of Deed of Trust document, whose validity RTSC does not contest, speaks for itself.

Paragraph 14: Denied.

Paragraph 15: RTSC lacks sufficient information to form a belief in response to this paragraph and therefore denies the same.

Paragraph 16: Plaintiff lacks sufficient information to form a belief in response as to when plaintiff received the Notice of Sale and therefore denies the same. Said Trustee's Notice of Sale document, whose validity RTSC does not contest, speaks for itself.

Paragraphs 17 - 22: RTSC lacks sufficient information to form a belief in response to these paragraphs and therefore denies the same.

Paragraph 23: RTSC admits the allegations of this paragraph to the extent that the property went to foreclosure sale on September 16, 2010 and was purchased at said sale by Federal National Mortgage Association. Said Trustee's Deed document, whose validity RTSC does not contest, speaks for itself. RTSC denies the remainder of the allegations contained in paragraph 23.

Paragraph 24: RTSC lacks sufficient information to form a belief in response to this paragraph and therefore denies the same.

Paragraphs 25-29: These paragraphs are not directed against defendant RTSC and therefore do not merit or warrant an answer.

Paragraphs 30-34: The Cause of Relief asserted in these paragraphs has been dismissed against defendant RTSC and therefore do not merit or warrant an answer.

Paragraph 35: RTSC reasserts its answers to the preceding paragraphs 1-34 herein.

Paragraph 36: Denied.

Paragraph 37: RTSC denies that plaintiff is entitled to recover any attorney's fees from defendant RTSC.

Paragraph 38: RTSC denies paragraph 38 and each of its subparts.

Paragraph 39: RTSC reasserts its answers to the preceding paragraphs 1-38 herein.

Paragraph 40: Denied.

Paragraph 41: Denied.

Paragraph 42: Denied.

Paragraph 43: This paragraph does not warrant an answer.

Prayer for Relief: RTSC denies plaintiff's prayer for relief in its entirety.

AFFIRMATIVE DEFENSES

- 2.1 That the plaintiffs have waived their rights, if any.
- 2.2 That the plaintiffs have failed to mitigate damages, if any.
- 2.3 That the damages, if any, are the results of third parties over which RTSC has no control.
- 2.4 That the plaintiffs are the sole or partial cause of their own loss, if any.

Defendant RTSC reserves the right to amend or supplement the above answers and the right to raise additional affirmative defenses and/or bring cross-claims, counter-claims and third-party claims in the event that the facts warrant such as the case develops.

PRAYER FOR RELIEF

WHEREFORE, having fully answered plaintiffs' first amended complaint, RTSC prays for relief as follows:

- 3.1 For dismissal of all claims against RTSC with prejudice;
- 3.2 For such other and further relief as the court may deem just.

DATED this 13th day of April 2011.

/s/ Jennifer Tait

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